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November 22, 2024 - November 28, 2024

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'Significant win for

OK': Deal reached to settle mental health

competency lawsuit

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# Local & State

# The Oklahoma Eagle

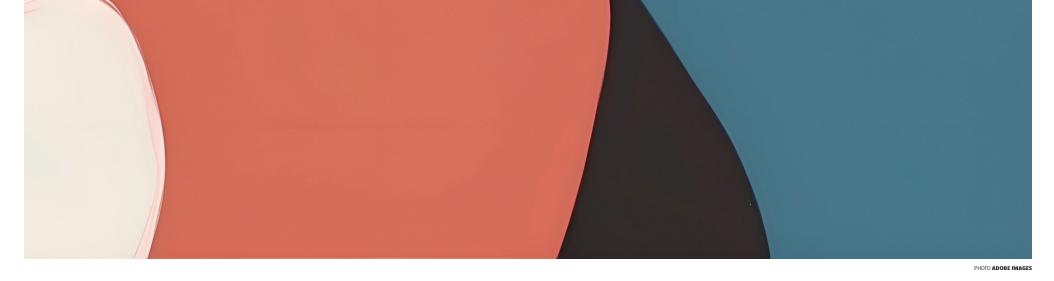




## FEATURED

OK school district adding anti-harassment policies after nonbinary teen's death

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### **Mental Health Competency Lawsuit**

# **'Significant win for Oklahoma'**: Deal reached to settle mental health competency lawsuit

MICHAEL MCNUTT AND TRES SAVAGE NonDoc

An agreement has been reached to settle a lawsuit alleging unconstitutional delays of mental health competency restoration services for pre-trial defendants in Oklahoma who have faced extraordinary wait times for treatment of severe mental illness. Gov. Kevin Stitt and Attorney General Gentner Drummond, who in recent months had been at odds with each other over the litigation, announced the agreement in separate press releases today.

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**Bank Failure** 

# **Amid bank failure fallout**, City of Lindsay audit reveals 'gross mismanagement'

#### BENNETT BRINKMAN NonDoc

Already facing turmoil with the federal takeover of a failed local bank and the seemingly related suicide of a prominent community leader, the City of Lindsay was further rocked Wednesday with the release of a new audit that found "significant mismanagement" of municipal finances from July 1, 2019, to June 30, 2022.

Oklahoma State Auditor and Inspector Cindy Byrd conducted the forensic audit at the request of District Attorney Greg Mashburn, whose jurisdiction covers Cleveland, Garvin and McClain counties. State officials wrote in their report that the Garvin County city about 50 miles south of Oklahoma City "experienced substantial financial difficulties" during the audit period that were "primarily caused by the city council's failure to provide adequate oversight along with poor financial decisions made by city management."

"The warning signs were there but no one was looking," Byrd said in a press release accompanying the audit report. "Lindsay's elected leaders have a legal obligation to oversee the city's finances. Instead, the city's financial mismanagement was exacerbated by ineffectual leadership that failed to maintain records and oversee city functions. As a result, Lindsay taxpayers have been shortchanged by hundreds of thousands of dollars."

Auditors detailed numerous findings in their 25-page report, such as underbilling commercial customers for utilities, holding tax revenue earmarked for the Lindsay Public Works Authority in incorrect bank accounts, and failing to undergo audits. Additionally, Byrd's office said town officials spent tens of thousands of dollars with little oversight or approval from the Lindsay City Council.

"While we found countless examples of deficient oversight, mismanagement and poor decision-making, we classified less than \$2,000 of expenditures as fraudulent," Byrd said in the press release. "On a very good note, the City of Lindsay is working to resolve the issues we discovered and appears to have turned the corner financially. The city has caught up on its audits and is now fully eligible to apply for grant money."

New Lindsay City Manager Sally Jantz — who took the position in July 2023, a year after a \$1 million municipal budget deficit was identified — echoed Byrd's assessment. "We currently have fixed as many of the problems that we have been able to identify to this point — or are in the process of fixing," Jantz told NonDoc. "As we find the things, we correct them. (We are) trying to do things the right way."

# Lindsay audit released weeks after bank failure

The audit comes as the 2,800-person community is still reeling from the Oct. 18 forced closure of First National Bank of Lindsay by the U.S. Office of the Comptroller of the Currency. Known as the FDIC, the Federal Deposit Insurance Corp. was named as receiver, and all of the bank's assets were transferred to the Duncan-based First Bank & Trust Co.

According to an FDIC press release, the bank's failure stemmed from "alleged fraud," and the Deposit Insurance Fund may have to cover about \$43 million. About \$7.1 million of the bank's deposits exceeded FDIC insurance limits.

"Based on the estimated recoveries of the failed bank assets, the FDIC will make 50 percent of uninsured funds available to those depositors," the release stated. "This amount could increase as the FDIC sells the assets of the failed bank."

First National Bank of Lindsay had been in operation for more than 100

years prior to its failure, although its website's About Page had simply stated, "More information coming soon" for several years. Three weeks before the bank's closure, vice president Clint Simonton died by suicide. A husband and father, Simonton had been an active community leader and a former Lindsay school board member. His lengthy obituary said he "was not without his faults, but was so quick to apologize, and to forgive."

"Clint was a proud American and patriot. He was a conservative and had a great passion for talking politics," the obituary states. "He loved reading about American History, the discovery, and the wars. He loved discussing it and dreamed of traveling the route of the Lewis and Clark Expedition. He loved this country and all the freedoms it represents, especially the right to bears arms, and he did just that, everywhere he went. He probably broke a few laws but he was always ready to defend the people he loved. That's just who he was."

The Lindsay bank's failure the second in America this year has drawn national attention, with one commentator remarking on the FDIC's decision to reimburse only 50 percent of uninsured deposits. In 2023,

# **Publisher's Page**

The Oklahoma Eagle

# *Second Street*: An Historic OKC Black District



he African American business and cultural district in Oklahoma City dates to around the turn of the twentieth century. By the 1920s the three hundred block of Northeast Second Street had become known as "Deep Deuce," "Deep Two," and "Deep Second." By day it served as a business district with barbershops, doctors' offices, beauty shops, clothiers, restaurants, a newspaper office, a cab company, lawyers' offices, a drugstore, a movie theater, a hardware store, and many other businesses, depending on the decade.

At night Deep Deuce turned into a cultural center for African Americans, with nightclubs, supper clubs, and a legendary dance hall featuring outstanding local talent, many of whom gained national acclaim, such as Jimmy Rushing and Charlie Christian. The Blue Devils, a famous territorial band, called Second Street New Orleans-style funerals, and for a Thursday night tradition called "maids night out," a grand "street" fashion show involving the whole community as either spectators or participants.

The future of African Americans during the early 1900s rested in the activities, resources, and the sharp minds of business people on Second Street. Roscoe Dunjee, editor of the Black Dispatch, located at 324 Northeast Second Street, blazed a civil-rights path unparalleled by anyone in the state. With the power of the press, Dunjee broke down the barriers of segregation in housing, education, transportation, and public facilities. Considered by many to be one of the nation's foremost civil rights champions, Dunjee used his newspaper, the courts, the Oklahoma Legislature, and the federal government to win justice for African Americans in the state, as well as nationally.

Deep Deuce existed as the place where it all

as the major reason for the demise of a thriving business district that had been born of injustice. Integration coupled with more choices in housing, consumer spending, and education sent Deep Deuce into a serious decline and a state of complete deterioration existed at end of the twentieth century.

As a new century dawned, however, Deep Deuce rekindled great interest, resulting in the area's redevelopment as a residential community adjacent to the entertainment district of Oklahoma City's "Bricktown." The name Deep Deuce has been trademarked, and an apartment complex built at the location in 2001 carries that title. The National Register of Historic Places lists three properties in the district: Calvary Baptist Church (NR 78002244), Littlepage Hotel Building (NR 95001500), and Melvin Luster House (NR 83002101). There are few other physical reminders of this legendary

# The Oklahoma Eagle

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home. The Pulitzer Prize-winner Ralph Ellison grew up in the district. Deep Deuce was famous for parades, street dances, breakfast dances, happened for African Americans in Oklahoma City until the late 1950s. Ironically, many have viewed racial justice and improved opportunity marker of a people, a place, and a culture.

**Aldridge Theatre** on Second Street in Oklahoma City (22055.9461, Ray Jacoby Collection, OHS).

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LU students look to mend strained relationship with historically Black town



End of Pandemic-Era Rental Assistance Could Cause Evictions Spike

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**Bank Failure** 

# Too big to fail or too small to care

#### From A3

when Silicon Valley Bank and Signature Bank both failed amid a downturn in the tech industry, the FDIC made all depositors 100 percent whole, regardless of whether accounts had more than \$250,000 in them.

"You've heard of too big to fail," the commentator said. "Well, this is too small to care. That's the reality of the FDIC.'

Oklahoma Rep. Cynthia Roe (R-Lindsay) shared a similar thought.

"I would just hope that the small rural Oklahoma banks can get the same fair treatment to their depositors that the big banks get," she said.

Amid wide speculation about the reported "fraud" that caused the bank failure, former majority shareholder Jack Justice filed a lawsuit Oct. 25 against former president and CEO Danny Seibel and his wife, Debra Seibel. A community

66

I would just hope that the small rural Oklahoma banks can get the same fair treatment to their depositors that the big banks get.

Rep. Cynthia Roe, Oklahoma (R-Lindsay) to do the same. Justice also alleged that Seibel took cash and property from the bank and presented him with false bank records.

"As a result of the fraud and misrepresentations by Danny and Debra, Justice has suffered actual and consequential losses as a direct result of the misrepresentations, assurances and nondisclosures of Danny and Debra in an amount in excess of \$10 million," the petition states.

Justice also alleged that Danny Seibel "routinely would not show up for work and would spend significant amounts of time at various casinos and bars with his spouse, in the company of convicted felons; activities that were concealed by Danny and others from Justice and the other directors and shareholders of the bank."

A native of Hulbert whose career at First National Bank of Lindsay began with a 1992 internship, Seibel did not return a phone call seeking comment prior to the publication of this article. On his Twitter and Facebook pages, Seibel has frequently posted pro-Trump and anti-Democrat rhetoric, although he has said little since mid-August. "Kamala wants to make you believe corporations are price gouging on your food costs," Seibel wrote Aug. 15. "Well let's see, the farmer that plows and prepares the land is paying much more for diesel to operate their tractor, much more for seed, much more for fertilizer, much more to feed their livestock, much more for harvesting, then the increased cost of transport of the crop or livestock, higher cost for processing, higher cost to package and shipping to the stores, thus

higher cost for all of us. But it isn't their liberal policies right????? They say it is the corporation. Give me a damn break. Vote Trump and drill baby drill. Energy cost reduction is the key to lowering inflation. When we become energy independent all our costs are reduced but companies still make money. It's called economies of scale. Look it up Libs. Oh, and not giving our money to other countries for war would help as well."

#### 'I just hate it for the community'

Both the bank failure and the state audit have drawn rumors and critical posts on a Facebook page dedicated to Lindsay.

"This town is full of crooks," one man commented on an Oct. 21 post about how the city had moved money out of the bank shortly before its closure.

Jantz, the city manager, had explained the situation hours earlier at the Lindsay City Council meeting.

"Last week, we had an incident where we had had some of our collateral had been sold, and I went back to the bank and said, 'You know, we're not covered," Jantz said. "They said, 'Yeah, you are.' I said, 'No, we're not covered. I have to have monies covered.' And they called me back then later in the week and said, 'We're not going to be able to cover it." The comments section of the Facebook post drew a range of reactions, with some who voiced concerns being told they were welcome to leave town. That attitude prompted sharp rebukes. "[Not] everyone has the funds to just pick up and move from a corrupt town," one woman wrote. Cont. A10, Bank Failure

Straight-Party Voting Declines

#### **KEATON ROSS** Oklahoma Watch

The popularity of Oklahoma's straight-party voting option appears to be waning after a record-breaking surge four years ago.

Just under 38% of Oklahoma voters who participated in the Nov. 5 election checked the option to vote straight party for Republicans, Democrats or Libertarians in all partisan races, according to data provided Wednesday by the Oklahoma State Election Board. That's down from 45.5% in 2020, when more than 700,000 voters filled the bulk of their ballot with the stroke of a pen, and 42% in the 2022 midterm election.

Among the voters who cast a straight-ticket ballot, 69% checked yes for Republicans, 29.6% voted for Democrats and 1.4% marked Libertarian. These voters had the option to override the straightparty option in individual races by separately marking a candidate of a different party.

The straight-party option was most popular in southern and eastern parts of the state. Love County had the highest percentage of voters marking the straight-party option at 46.81%.

Oklahoma is one of six states, along with Alabama, Indiana, Kentucky, Michigan and South Carolina, that offers a straightparty voting option, according to the National Conference of State Legislatures.

Oklahoma election officials have offered the straight-party option since statehood, when some voters were illiterate and could more easily fill their ballot by checking yes on their preferred party's logo. Backers of the method in modern elections argue it's convenient and can help speed up the voting process, while critics maintain it's lazy and discourages voter engagement.

Several states, including Texas, Pennsylvania and Utah, have passed laws banning straightparty voting over the past decade. The reasons vary and don't fall along party lines. In Utah, the primary author of the bill to remove straight-party voting said voters were confused by the option and often submitted their ballot without weighing in on nonpartisan races and ballot initiatives. Texas Democrats opposed the Republicanmajority legislature's decision to ban straight-party voting in 2017, arguing that it would lead to longer lines in urban counties. Several Democrats, including Senate Minority Leader Julia Kirt, D-Oklahoma City, have authored bills over the past five years seeking to end straight-party voting. None have received a committee hearing, the first hurdle a bill must overcome to become law.

leader himself, Justice owns Reavis Pharmacy in Pauls Valley.

Reached Thursday, Justice said he did not want to comment on the case and directed inquiries to his daughter, Julie Justice, who is an attorney. She confirmed that her father is no longer involved with the bank.

"Our family's been through a lot with all of this, and we're just trying to move on with our lives," Julie Justice said.

In his petition, which the Seibels have yet to answer, Jack Justice accused the two defendants of fraud and civil conspiracy. Justice said Danny Seibel routinely lied to him and other bank directors and encouraged other bank employees

#### **Anti-Harassment**

Oklahoma school district adding antiharassment policies after nonbinary teen's death



Keaton Ross covers democracy and criminal justice for Oklahoma Watch. Contact him at (405) 831-9753 or Kross@Oklahomawatch.org. Follow him on Twitter at @ KeatonRoss.

## **AP NEWS STAFF**

ssociated Press

OWASSO, Okla. (AP) – A federal investigation into an Oklahoma school district launched after the death of a nonbinary student has led to the school agreeing to develop policies to prevent sexual discrimination and harassment, federal officials announced Wednesday.

The February death of 16-year-old Owasso High School student Nex Benedict took place the day after a fight with several girls in a school bathroom. It was ultimately ruled a suicide by the state's medical examiner, and no charges were filed in connection with the fight.

The U.S. Department of Education opened an investigation into the district in March after the Human Rights Campaign, a civil rights group that advocates for LGBTQ+ equality, asked the department to look into the district's "failure to respond appropriately to sex-based harassment that may have contributed to the tragic death.'

In Nex's case, the investigation revealed when school officials received that information that Nex and two other students experienced conduct that could meet the definition of sexual harassment, the district

failed to notify the students' parents, inform them how to file a formal complaint or offer supportive services, which the district should have done according to federal Title IX policies.

The probe also discovered repeated instances over a three-year period in which district staff received notice of possible harassment, yet failed to properly explain the procedure for filing complaints or discuss supportive measures with complainants, according to the department.

Among the investigation's findings were that a teacher was grooming female students on social media and that multiple students were subjected to sex-based slurs, harassment and physical assault.

a letter to parents, Owasso In Superintendent Margaret Coates said the voluntary resolution agreement reaffirms the district's dedication to fostering a non-discriminatory and harassment-free environment for all students.

The district has agreed to contact the parents of students affected by sexual harassment, issue a public anti-harassment statement, review its policies to ensure compliance with federal requirements and provide training to district staff and students, among other things.

The Oklahoma Eagle



Allie Friesen, Oklahoma Commissioner of Mental Health, right, listens to House Speaker Charles McCall, left, and Gov. Kevin Stitt, right, during a meeting of the Contingency Review Board on Tuesday, Oct. 8, 2024.

# *Improving evidence-based care and outcomes* for all Oklahomans

#### From A2

aul DeMuro, the lead attorney for plaintiffs in the class-action litigation, said the modified agreement was hammered out during an 11-hour meeting Wednesday with assistance from T. Lane Wilson, a former magistrate judge who DeMuro said offered to moderate the negotiations.

"I am super excited about it," DeMuro told NonDoc. "I think this is a great consent decree — a great day for the state of Oklahoma. And now we've got to fix the problem."

Ultimately, DeMuro said "everybody recognized the system was broken" for mentally ill defendants awaiting competency restoration services, which typically involve the administration and monitoring of antipsychotic medications.

"At the end of the day, the momentum behind that recognition compelled the stakeholders to reach a resolution," DeMuro said. "And somewhere along the line, everybody set aside their political animus and got down to business for the people of Oklahoma, and that's really encouraging. The governor and the attorney general should be applauded."

Stitt's office said attorneys representing the Oklahoma Department of Mental Health and Substance Abuse Services worked with plaintiffs' attorneys to reach an agreement.

"Commissioner Allie Friesen has worked tirelessly to promote the well-being of Oklahomans in state custody while ensuring Oklahoma taxpayers aren't on the hook for tens of millions of dollars in attorney and consultant fees," Stitt said in a press release. Filed in March 2023, Briggs et al v. State alleges ODMHSAS and the Oklahoma Forensic Center in Vinita have violated due process rights of some pretrial defendants by failing to provide timely courtordered competency restoration services.

Briggs et al v. State

"I am proud of her leadership. This deal will resolve the issues at hand in this lawsuit without keeping Oklahoma taxpayers in an endless settlement agreement that puts the health of Oklahomans at risk."

Twenty-four minutes after Stitt's announcement, Drummond's office issued a release saying Drummond and plaintiffs' attorneys reached an agreement.

"This settlement is a significant win for Oklahoma," Drummond said in his release. "Victims and their families no longer will have to endure unnecessary delays for justice to be served, our criminal justice system will be rid of problems that have plagued it for years and Oklahomans will save tens of millions in taxpayer dollars by avoiding the costs and risks of ongoing litigation."

DeMuro said neither Stitt nor Drummond was present for Wednesday's negotiations. He said a PDF version of the lengthy agreement could be released publicly "maybe tomorrow."

# Contingency Review Board, federal judge approval remain

Filed in March 2023, Briggs et al v. State alleges ODMHSAS and the Oklahoma Forensic Center in Vinita have violated due process rights of some pretrial defendants by failing to provide timely court-ordered competency restoration services. Some detainees deemed incompetent to stand trial have been denied treatment and have languished — without a trial — in county jails for more than a year, resulting in delayed justice for crime victims.

The proposed consent decree outlines a strategic plan for justice to be administered in a timely fashion by improving ODMHSAS' restoration services, according to the AG's Office. A consent decree is a monitored

settlement agreement for litigation that includes benchmarked improvement of state services. A panel of "experts" is prescribed to monitor the plan's implementation.

The three-member Contingency Review Board, which Stitt chairs as governor, is expected to consider the revised consent decree sometime in January. The Contingency Review Board considers major state lawsuit settlements when the Oklahoma Legislature is not in session. It rejected a proposed settlement last month over the objections of Drummond who argued via email that it was premature for the board to act and that Stitt's eagerness to reject the proposal was "bewildering."

DeMuro said changes agreed to Wednesday include modifying the consent decree to make it clear ODMHSAS can provide competency restoration services to people in jail settings, so long as they are legitimate and professionally recognized services that are signed off and approved by the panel of independent experts that will be established to monitor compliance with the decree.

"The main aspect was that the commissioner and the governor wanted assurances that the department would still be able to provide restoration treatment services to people who were in jail, notwithstanding the fact that the consent decree obligated them to cease the sham statewide restoration program they had rolled out as a dishonest mechanism to avoid judicial scrutiny in [early] 2023," DeMuro said.

The consent decree carries a five-year term, but the parties agreed Wednesday that there can be "an early exit ramp that incentivizes the department if, after three years, they

The Oklahoma Eagle



Anthony Stobbe, an independent voter from Edmond and one of three proponents for putting an open primaries question before Oklahoma voters, speaks at a Yes on 835 press conference on Tuesday, Nov. 19.

**Open Primaries** 

# **Open Primary Supporters**

# Launch Ballot Initiative Effort

KEATON ROSS Oklahoma Watch

Increase voter turnout. Chip away at political polarization. Make elected officials more accountable to their constituents.

Backers of open primaries believe they can accomplish all of the above via State Question 835, a citizen-led initiative petition filed Monday afternoon with the Oklahoma Secretary of State's office.

The proposed constitutional amendment places all congressional, statewide, county and state legislative candidates, regardless of political affiliation, on the June primary election ballot. The top two candidates would advance to the November general election ballot, rendering the August runoff unnecessary.

A candidate's party affiliation would remain listed next to their name, said A.J. Griffin, a former Republican state senator who spoke in favor of State Question 835 at a Tuesday press conference. If enacted, the changes would be implemented during the 2028 election cycle.

"People have lost trust and confidence in our government," Griffin said of Oklahoma's persistently low voter turnout. "That is not a problem that can be ignored. In fact, it's a poison creeping through our system and the cure is election reform in the form of an open primary system."

While a record number of Oklahoma voters cast ballots on Nov. 5, the participation rate among registered voters dipped nearly 5% compared to 2024. An analysis by researchers from the University of Florida's Election Lab found Oklahoma had the lowest voter turnout in the U.S. in the 2024 presidential election.

Nearly 70% of state legislative races were decided before the November election, either going uncontested during the April filing period or settled in a single-party primary election. The percentage of uncontested state legislative races has continued to rise since 2018, when a record number of candidates People have lost trust and confidence in our government... it's a poison creeping through our system and the cure is election reform in the form of an open primary system.

A.J. Griffin, former Republican state senator

filed to run for office during the statewide teacher walkout.

Oklahoma's current primary system is partially closed, with political parties receiving the option to open their primaries to independents. In recent election cycles, Republicans and Libertarians have kept their primaries closed while Democrats have allowed independents to participate.

Margaret Kobos, founder of the election reform group Oklahoma United, said the proposed open primary system mirrors how municipal candidates for mayor and city are elected. Several municipal leaders, including Oklahoma City's mayor, David Holt, and former Tulsa mayor G.T. Bynum, have endorsed a statewide open primary system.

"This is how we voted in high school, and this is how we vote in every town and city in the state," Kobos said. "This is an Oklahoma solution to an Oklahoma problem."

Anthony Stobbe, an independent voter and U.S. Coast Guard veteran from Edmond, is one of the three proponents petitioning to get an open primary question on the ballot. He called the state's current primary system undemocratic because independents, which comprise nearly 20% of Oklahoma's electorate, aren't guaranteed the right to participate in the primary process.

"The current system says to me and numerous others that your opinion doesn't matter," he said. "To add insult to injury, my taxpayer dollars and your taxpayer dollars pay to fund the very election I can't vote in."

State Question 835, which must get clearance from the Oklahoma Supreme Court and receive 172,993 valid signatures to reach the ballot, will be the first initiative petition to operate under legislation benefiting challengers. House Bill 1105 increases the protest period for initiative petitions from 10 to 90 days, while Senate Bill 518 increases the time to challenge the signature count from 10 to 20 days.

Kobos said State Question 835 organizers are aware of the changes and are confident they have enough time to get the question before voters in 2026.

"It will be a learning process for all of us," Kobos said of Oklahoma's initiative petition process, which is among the most stringent in the nation in states that allow direct democracy. "But we will overcome those challenges and get this in position for Oklahomans to sign."

PHOTO KEATON ROSS/OKLAH

The initiative petition is already facing pushback from Republican officials and conservative groups. The Oklahoma Council of Public Affairs, a right-leaning think tank based in Oklahoma City, issued a statement on Tuesday afternoon calling the proposed system a California-style model that would take power away from conservatives.

Lieutenant Gov. Matt Pinnell, rumored to be a possible 2026 gubernatorial candidate, called the measure unnecessary and welcomed independents and Democrats to register as Republicans to help choose the party's candidates.

"At best, the push to mandate open primaries is a solution in search of a problem, and at worst, it is a thinly veiled attempt to weaken Republican voters in choosing the nominees to represent our Party," Pinnell said in a written statement.

Similar ballot initiatives fared poorly in Republican-controlled states on Nov. 5. In South Dakota, where 65.6% of voters rejected an open primaries ballot question. Nearly 70% of Idaho voters checked no on Proposition 1, which sought to end open primaries and implement ranked choice voting.

Alex Weintz, a spokesperson for the Yes on 835 campaign, said the group has tailored the initiative for Oklahoma's electorate and isn't discouraged by those results.

"Our early conversations and grassroots work has demonstrated a huge amount of support across the state," he said. "We believe we're starting in a position of strength and that this is going to be a popular measure."

Keaton Ross covers democracy and criminal justice for Oklahoma Watch. Contact him at (405) 831-9753 or Kross@ Oklahomawatch.org. Follow him on Twitter at @\_KeatonRoss.

The Oklahoma Eagle

# A common solution, despite political differences



### **Mental Health Competency Lawsuit**

From A7

can prove they have been in substantial compliance with the consent decree for nine consecutive months," DeMuro said.

In Stitt's press release, Friesen said the agreement marks "a significant step forward" toward ensuring meaningful mental health



A once-in-a-lifetime opportunity to reform Oklahoma's Gregory Frizzell set a Jan. 15 hearing at which he could grant final approval if the Contingency Review Board agrees to the proposal on behalf of the state.

Members of the CRB, which consists of the governor, the House speaker and the Senate president pro tempore as voting members, reviewed a version of the proposed settlement in August and then voted Oct. 8 to reject a revised proposal. Both Greg Treat, whose term as Senate president pro tempore expired this week, and House Speaker Charles McCall (R-Atoka), whose term expires next week, could not seek reelection this year because of term limits. Their designated successors, Sen. Lonnie Paxton (R-Tuttle) and Rep. Kyle Hilbert (R-Bristow), cannot take any official action until legislators formally organize for the 60th Oklahoma Legislature, which is set to occur Tuesday, Jan. 7. After the Contingency Review Board and Frizzell give their final approval, the parties will have 90 days to flesh out some elements of the improvement plan prescribed in the consent decree, which carries an unknown fiscal impact for the Oklahoma Legislature to address. Beyond that, state lawmakers will be asked to pass legislation permitting ODMHSAS to provide community-based outpatient competency restoration services, which have become more popular across the country in recent years. "Within 90 days after the court enters this consent decree, defendants, in consultation with class counsel and the consultants, shall develop and begin to implement a plan, to be approved by the consultants, for a pilot community-based restoration treatment program in Tulsa County, Oklahoma County, McIntosh County and Muskogee County," the consent decree states on Page 23. At the end of one year after implementation of the pilot program, the consultants, ODMHSAS' designated representative and its counsel along with plaintiff attorneys will evaluate the data, practices and outcomes of the pilot program "to determine whether, and how, a community-based restoration program may be expanded to other Oklahoma counties." A similar pilot program for jail-based restoration services is proposed for Tulsa County and another county to be selected later. None of the prescribed pilot program services are designated for western or southern Oklahoma, the furthest areas from the Oklahoma Forensic Center in Vinita. That facility is where defendants are supposed to receive mental health competency

support for Oklahomans in state custody while honoring a commitment to Oklahoma taxpayers.

"Our priority remains improving evidence-based care and outcomes for all Oklahomans, and this agreement helps us continue that mission," Friesen said.

Appointed to lead ODMHSAS early this year — one year after the lawsuit was filed naming her predecessor, Carrie Slatton-Hodges, as a defendant — Friesen had been scheduled to be deposed by DeMuro and his associates next week. Oklahoma Forensic Center interim director Debbie Moran also became a defendant in the case after succeeding her predecessor.

#### 'Once in a lifetime opportunity'

In Thursday's third press release on the topic, DeMuro said the agreement offers "a once-in-a-lifetime opportunity to reform Oklahoma's broken competency restoration system."

"We applaud the attorney general's leadership on this critical issue, and also applaud the willingness of the governor and commissioner to sit down with us and work this out," DeMuro said. "There's a lot of work to do, but now we can all finally focus on fixing this serious problem."

In a memo to leaders of the Oklahoma Legislature this spring, Drummond's office had described the lawsuit as "indefensible" and said attempting to fight it would almost surely result in a massive financial award for the plaintiffs. As a result, Drummond and plaintiffs' attorneys proposed a settlement involving a consent decree, which will require the state to create additional mental health restoration services while establishing and meeting new treatment standards.

In granting preliminary approval for a version of the proposed consent decree in September, U.S. District Court Judge

## broken competency restoration system.

Paul DeMuro, lead attorney, plaintiffs in the class-action litigation

restoration services, but its capacity has been incapable of accommodating the state's needs for years.

"I think the real headline here is that political leaders came together, put their political differences aside and recognized that there was a problem that was adversely affecting Oklahomans, and they agreed to fix it," DeMuro said. "They agreed to a common solution despite political differences, and that's how government should work. I'm really proud right now to be a lawyer in Oklahoma to watch the process play out that way, because it doesn't always play out that way."

Michael McNutt became NonDoc's managing editor in January 2023. He has been a journalist for nearly 40 years, working at The Oklahoman for 30 years, heading up its Enid bureau and serving as night city editor, assistant news editor and State Capitol reporter. An inductee of the Oklahoma Journalism Hall of Fame, he served as communications director for former Gov. Mary Fallin and then for the Office of Juvenile Affairs. Send tips and story ideas to mcnutt@ nondoc.com.

Tres Savage (William W. Savage III) has served as editor in chief of NonDoc since the publication launched in 2015. He holds a journalism degree from the University of Oklahoma and worked in health care for six years before returning to the media industry. He is a nationally certified Mental Health First Aid instructor and serves on the board of the Oklahoma Media Center. director for former Gov. Mary Fallin and then for the Office of Juvenile Affairs. Send tips and story ideas to menut@nondoc.com.



The Oklahoma Eagle

**Trump, Education** 

# Education Watch: Education Policies to Watch Under Trump's Second Term



What does Donald Trump's second term mean for public schools? No one knows for sure, but policy ideas from his first term and his campaign give some clues.

Trump's most consistent promise on education policy, reports Chalkbeat, is his call to dismantle the U.S. Department of Education. (It's also included in Project 2025, the controversial conservative blueprint for governance under Trump's second term.) While some observers say the idea is farfetched, others say it could be done, with some programs ferreted out to other federal agencies.

Anti-discrimination and civil rights protections under the U.S. Department of Education will shift under a Trump administration, and President Joe Biden's new Title IX rules (already on hold) will likely be rolled back, Chalkbeat continues.

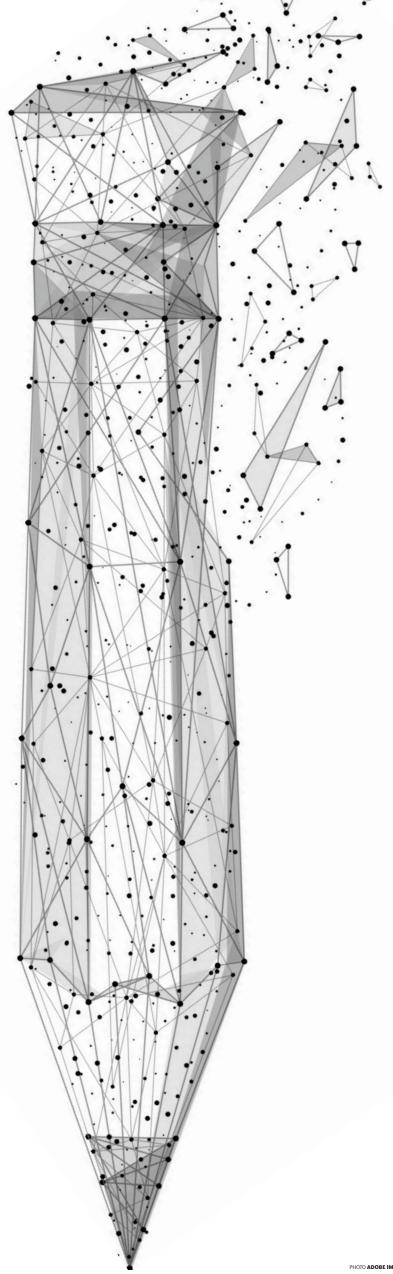
Immigration policy, like Trump's plan for mass deportation beginning on day 1, could create significant disruptions in schools, and put educators in precarious situations. All children can attend public schools, regardless of immigration status, under a U.S. Supreme Court ruling and schools are prohibited from asking about immigration status.

A federal programs to give families public money to spend on private education could

#### **U.S.** Department of Education

**The United States Department of Education is** a cabinet-level department of the United States government. It began operating on May 4, 1980, having been created after the Department of Health, Education, and Welfare was split into the Department of Education and the **Department of Health and** Human Services by the **Department of Education Organization** Act, which **President Jimmy Carter** signed into law on October 17, 1979.

The Department of Education is administered by the United States secretary of education. It has 4,400 employees - the smallest staff of the Cabinet agencies - and a 2024 budget of \$238 billion. The 2023 Budget was \$274 billion, which included funding for children with disabilities (IDEA), pandemic recovery, early childhood education, Pell Grants, Title I, work assistance, among other programs.



come to fruition under a second Trump presidency. Trump proposes having parents elect school principals, abolishing teacher tenure and adopting merit pay. He vows to encourage prayer in schools and expel more disruptive students from classrooms.

Who Trump chooses for his U.S. Secretary of Education could be significant, too. Superintendent of Public Instruction Ryan Walters is rumored to be angling for the post; he's been on a taxpayer-funded national media blitz for months.

# For Lindsay, a turnaround requires accountability



### **Bank Failure**

From A6

"Only problem now is Lindsay can't cover it up with the feds involved. Some of us moved here not knowing how bad it

was. And this is just the beginning of what goes down, watch.'

Roe eventually chimed in herself to defend the city's new leaders, which include her husband, Councilman Vern Roe. He was elected in 2022. She was elected to the House in 2018.

"A new city council immediately got rid of the problem that caused the city's financial woes and we have a city manager now that is actually doing a fantastic job and has remedied a lot of the issues," Cynthia Roe wrote. "When you have a city manager that was not reconciling bank statements, and in fact not even opening them, it's hard to know what your finances are. The city is getting things turned around but when you are in debt like the city was, it doesn't turn around over night."

A nurse practitioner working extra shifts in Pauls Valley on Thursday, Roe cautioned people to wait for the truth to come out before believing everything written by "keyboard warriors on Facebook."

"I just hate it for the community, and then you get all the people in the community that are bad-mouthing everybody. There's just a lot of speculation and rumors and people trying to guess what really happened," Roe said. "I think it's going to be a very long time

before we have a lot of answers over the bank."

Roe called Simonton's death "unfortunate" and said he "was one of the nicest guys you would ever meet." She also praised Jack Justice.

"Jack is one of the most communityoriented people you've ever met," she said. "He does so much."

She also called Jantz, Lindsay's new city manager, a "rock star" who is "making some very positive changes.'

Among the issues identified in the audit were multiple metering problems for the city's electric utility, which caused \$1.5 million of under-billing on commercial customers. The city expects to recover about \$676,000 of that amount.

In terms of the bank failure, Jantz said the city is dealing with issues similar to those faced by citizens.

"Anytime something like that happens in a community, it's tough," Jantz said. "We had city accounts in that bank, so, you know, obviously it did affect us. But we are getting our stuff taken care of, and I'm sure that's what a lot of people are having to deal with."

Bennett Brinkman became NonDoc's production editor in September 2024 after spending the previous two years as NonDoc's education reporter. He completed a reporting internship for the organization in Summer 2022 and holds a bachelor's degree in journalism from the University of Oklahoma. He is originally from Edmond

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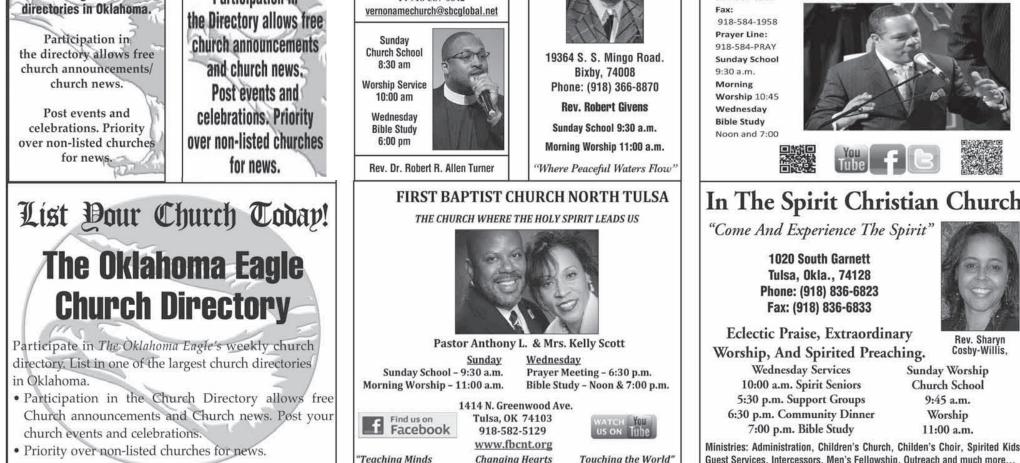
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### FEATURED

Gun Violence and Public Health: A Crisis We Can't Ignore

Black children and adolescents at greater risks Gun Violence, A12





FEATURED

Redefining Black Success Beyond the American Dream

The American Dream, A14



**The \$1.2M** 

**"Rides** 

to Care"

program

provides free rides

to access critical

prenatal care.

for women in Detroit

# Eliminating Barriers: A Lifeline for Pregnant Women and New Mothers

#### EBONY J. J. CURRY Word In Black

Detroit is taking a step to address a pressing challenge for expectant mothers: reliable transportation to prenatal care appointments. For a city where nearly one-third of residents don't own a car, and buses are often unreliable, the impact of transportation barriers is profound. This gap can make the difference between life and death, particularly for Black mothers and their babies, who are disproportionately affected by poor maternal and infant health outcomes. The Detroit Health Department recently launched the "Rides to Care" program to address these barriers head-on.

Announced Monday during a press conference at Wayne Health on Mack Avenue, the \$1.2 million program provides free rides for pregnant women to access critical prenatal care. The initiative, created in partnership with Uber Health, is HIPAA-compliant and offers nonemergency medical transportation to healthcare providers located within five miles of Detroit's borders. The program also extends its services to new mothers for up to one year after their child's birth, ensuring consistent access to healthcare during a vital period.

"We want to give Detroit babies, moms, and families their best chance for a healthy start and to help families thrive," said Denise Fair Razo, chief public health officer for the Detroit Health Department. Her statement underscored the urgency of the program, which began operating on a limited basis two weeks ago and is now fully available to eligible Detroit residents.

The need for such an initiative is underscored by troubling data. According to the Michigan Department of Health and Human Services, 14 out of every 1,000 babies born in Detroit die before their first birthday. This is more than double the national average of 5.6 infant deaths per 1,000 births. The disparity is even greater for Black infants, who die at a rate three times higher than their white counterparts across the United States. Mayor Mike Duggan acknowledged the severity of these statistics, saying, "There are many factors that go into it, but nothing can change the trajectory of those numbers faster than going to see your doctor."

Dr. David Bryant, chief of obstetrics at Hutzel Women's Hospital, reinforced

## **Gun Violence**

# **Gun Violence & Public Health:** A Crisis We Can't Ignore

Black children and adolescents are more likely to die by firearm than any other racial group. Here's what policymakers can do to change that.

#### ANISSA DURHAM Word In Black

With gun violence claiming more lives in the U.S. than ever before it's no wonder that in June, U.S. Surgeon General Vivek Murthy officially declared it a public health crisis. Here's why: Firearms are now the leading cause of death for kids and teens aged 1-19. And it's not just "out there" — it's personal. More than half of adults, 54%, say they or someone in their family have experienced gun violence firsthand.

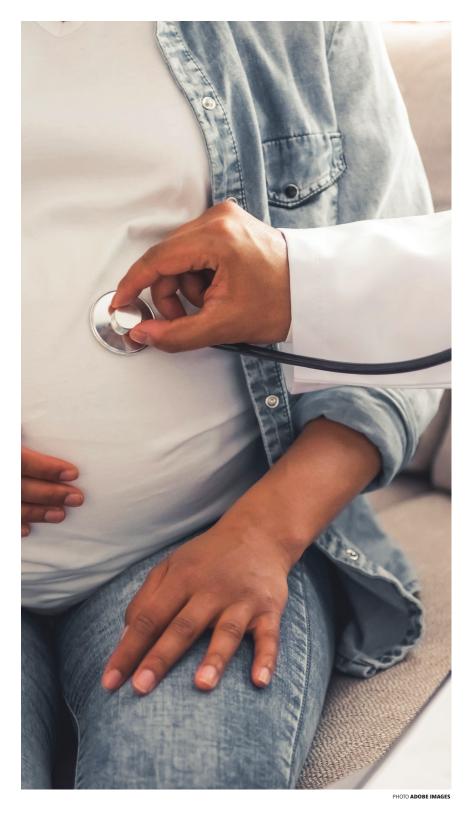
But gun violence isn't just a matter of statistics. It's a crisis reshaping how Americans live, work, and feel in their communities — and that's especially true for Black Americans.

In 2022, Black Americans had the highest rate of homicide deaths from a firearm compared to all other races and ethnicities. And Black children and adolescents accounted for about half of all fire-armrelated deaths among U.S. children and Nation

The Oklahoma Eagle

### **Women and New Mothers**

# For many Detroiters, accessing healthcare is a logistical challenge.



#### From A12

the critical role of prenatal care in improving these outcomes. "We can't interact in a positive way with our patients if they are not present," Bryant said, emphasizing the importance of removing transportation as a barrier. He called prenatal care "absolutely critical," highlighting that timely and consistent medical visits can significantly improve maternal and infant health.

For many Detroiters, accessing healthcare is a logistical challenge. A study from Poverty Solutions at the University of Michigan found that about one-third of Detroit residents do not have access to a car. Meanwhile, the city's bus system remains unreliable, with buses leaving on time less than 75% of the time, according to Detroit Department of Transportation data. These challenges disproportionately affect low-income residents, many of whom their first year of parenting. The rides were previously offered on a case-by-case basis but are now consistently available to all eligible participants.

The importance of extending the program to include postpartum care cannot be overstated. Dr. Lynn Smitherman, associate professor of pediatrics at Wayne State University School of Medicine, highlighted the necessity of ongoing medical attention for mothers and babies during the first year of life. "Last week alone, I had two newborn (families) cancel their appointments because they didn't have transportation," Smitherman said. She noted that healthcare providers closely monitor both mothers and babies during this critical period, making it essential for families to keep their appointments.

Mayor Duggan acknowledged the broader challenges of addressing Detroit's high infant mortality rate but stressed that access to prenatal and postpartum care is a vital

# 66

# It's a good village, and it's helping everybody right now.

Anastasia Lewis, a Detroit resident who sought and benefited from a city-sponsored volunteer initiative that assists young mothers.

are Black women. Programs like, "Rides to Care" aim to address these inequities by ensuring that access to care is not dependent on access to a vehicle.

The program has already made a tangible difference for mothers like 18-year-old Anastasia Lewis, a Detroit resident who began using the service during her pregnancy. "I feel like it's very helpful for moms like me who can't drive or don't have a car," Lewis said. "It's a good village, and it's helping everybody right now." Lewis relied on the program when she was seven months pregnant with her daughter, Skylar Burks, and continues to use it for her postpartum healthcare needs. Before the official launch of "Rides to Care," Lewis accessed similar support through SisterFriends, a city-sponsored volunteer initiative that assists young mothers during starting point. While structural inequities in healthcare, economic stability, and systemic racism contribute to the stark disparities in maternal and infant health, programs like "Rides to Care" provide a targeted solution to one of the most immediate barriers: transportation.

The program is creating a system of support that allows families to thrive. Fair Razo's comments about giving families their "best chance for a healthy start" reflect the broader goal of the initiative: to build healthier communities by addressing the root causes of poor health outcomes. By eliminating transportation barriers, the program enables mothers to prioritize their health and that of their children, setting the foundation for long-term well-being.

Cont. A14, Women and New Mothers

## **Gun Violence**

# **A public health crisis:** The leading cause of death for kids and teens aged 1-19

#### From A12

adolescents, despite only making up 14% of the youth population.

Why does this matter?: Gun deaths are largely considered preventable. And Black American adults and youth are more likely to lose their lives to a firearm. The physical and mental health impact can be lifelong.

In 2022 alone, the Black firearm homicide rate among ages 15 to 19 was more than 25 times the white firearm homicide rate among the same age group, according to the Giffords Law Center to Prevent Gun Violence. And in 2022, more Black men ages 15 to 24 died in gun homicides than from unintentional injuries, suicide, heart disease, COVID-19, cancer, non-firearm homicides, diabetes, congenital abnormalities, chronic respiratory diseases, police shootings, cerebrovascular diseases, anemias. sepsis, influenza and pneumonia, and HIV combined.

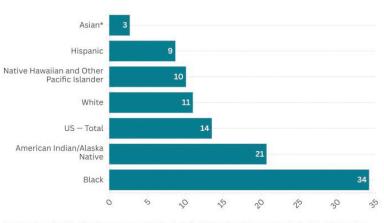
#### Black Americans have the highest mortality due to firearms of any racial or ethnic group in the U.S.

For Black children and adolescents, 86% of firearm-related deaths were homicides, and 10% were suicides, the 2024 advisory states. Fears and worries about firearm violence are highly prevalent among youth, especially regarding school shootings. About half of young people ages 14 to 17 worry about school shootings.

#### **Firearm Violence is Expensive**

Firearm-related deaths contribute significantly to the rising rates of preventable mortality and continue to drive down the U.S. life expectancy, according

## Black Americans have the highest mortality due to firearms of any racial or ethnic group in the U.S.



Source: Repub Link, <u>The Commonwealth Fund</u> • \*The "Asian" racial category includes Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, and Other Asian. Graphic by Anissa Durham

to a report by The Commonwealth Fund.

"Bv some estimates, firearm violence cost the U.S. around \$557 billion in 2022, with \$2.8 billion spent on health care costs, mental health services, and emergency services," The Commonwealth Fund report states. "The largest proportion of this total was made up of costs related to quality-of-life, pain and well-being lost by those injured or killed, and costs to families. Combined with billions in other losses, firearm deaths cost roughly \$274,000 per victim and each injury costs over \$25,000 per patient, equaling an average cost of \$1,700 per taxpayer annually.

Gun violence in America kills 40,000 people, wounds twice as many, and has

had a devastating impact on the economy, according to Everytown Research and Policy. And whether an American owns a gun or not, taxpayers shoulder the bulk of the costs.

#### What Can Be Done?

In Murthy's advisory, he outlines a public health approach that can help prevent and reduce the harm caused by firearms. Here are a few of the suggestions to health care workers and policymakers.

• Encourage health systems to facilitate education on safe and secure firearm storage. Health systems can support health workers in talking with patients

during routine and preventive medical visits about the safe storage of firearms, as well as the temporary transfer of a firearm during a highrisk period.

- Implement universal background checks and expand purchaser licensing laws.
- Universal background checks would expand on current federal law (which requires any person engaged in the business of dealing firearms to obtain a license and conduct background checks) to include mandatory background checks for all firearm purchases, including private sales and transferring/gifting firearms.
- Ban assault weapons and largecapacity magazines for civilian use. Assault weapons may encompass automatic weapons and some semiautomatic weapons that may include militarystyle features that make the firearm more lethal, such as detachable largecapacity magazines.
- Enhance safety measures and mental health resources in learning settings for children and adolescents. This can include the expansion of a schoolbased mental health workforce to build a positive school climate and the capacity and resources needed to connect students to mental health services
- Bottom line: The death of Black Americans from gun violence, in many ways, can be prevented. It's up to policymakers to decide how many more Americans will die because of firearms.

**Anissa Durham** is the health data journalist for Word In Black. She reports on healthcare inequities and mental health in the Black community.



The Oklahoma Eagle

# **Our Mission**

To amplify our core value of equity, through journalism and editorial is the cornerstone of our continued success.



## The Oklahoma Eagle

## **The American Dream**

# **Redefining Black Success** Beyond the American Dream



#### LAURA ONYENEHO Word In Black

66

You have

opportunities

here that we

never had

Laura Onyeneho,

recalling the advice

shared be her father

Growing up as a child of Nigerian immigrants, I was raised with a clear vision of success meant for them. Like many others who came to the United States, my parents had a goal. They arrived in the 80s, determined to go to college, establish themselves, and care for their family back home. They believed in the American Dream—go to school, get a good job, work hard, start a family, buy a house, and eventually retire. This was the blueprint for a successful life, and they expected nothing less for their children.

I vividly remember my father reminding my siblings and me how blessed we were to be born and raised in the U.S. "You have opportunities here that we never had," he'd say, stopping at any chance to remind us that immigrants always have something to prove. They carried the weight of the families they left behind on their shoulders, working three times as hard to make it in this country. They wanted us to appreciate the sacrifices they made to continue their legacy of hard work and perseverance.

But as my generation grew up, we saw the cracks in that dream. My parents, well into their 60s, are still working as hard as they did when they arrived. The times have changedhave evolved, and the economy has shifted. Yet, their approach to success remains rooted in a relentless work ethic, often at the expense of their well-being.

Many millennials, like myself, looked at their struggle and said, "Aht aht, not today, and not ever." The exhaustion, the overworking in a capitalist system that never seems to reward you enough, the endless bills—what kind of life is that? We want to put ourselves in a better position to avoid the exhaustion that our parents experienced. But in doing so, we face the question of what Black excellence means to us.

There's an unspoken rule that Black people, especially in America, have to be exceptional to be considered successful. We've been conditioned to believe mediocrity isn't an option and that we must always strive to be the best in whatever we do. I was proud to be in spaces nobody expected me to be in because I felt like I was supposed to be, but then what? So, if you miss the mark, what does that make me? Not excellent?

During the devastating global pandemic and after a "racial reckoning" that left more promises of hope and change unfulfilled, more Black folk are realizing that Black Excellence is a setup.

Statistics confirm that Black women, in particular, are leaving traditional 9-to-5 jobs at staggering rates. Some are quitting the corporate world to find happiness elsewhere, tired of toxic workplaces where they are underpaid and undervalued. The Great Resignation allows Black women to redefine excellence on their terms, but it's not always by choice.

Black people are choosing peace of mind over thankless servitude—no matter how excellent the jobs look on paper, a pat on the back these days equates to more work. However, regardless of how hard Black people work, the workforce's expectation of perfection without reward still disproportionately negatively impacts us. We remain at the bottom even if we break through hurdles. What's the point of being a rat on a treadmill? Moving and not going anywhere at the same time?

The pandemic was a hard reset for me, a moment to rethink what success means. Black Excellence has evolved into a show for white validation, even though it began as a reclaiming of our power. During Black History Month, we parade our achievements as proof that we have survived despite the "isms" that still stigmatize us, but we need to do better to talk about how much of who we are we have to give up to be accepted for who we are.

True success should be about thriving, not just surviving. It's about finding joy, peace, and fulfillment in our lives, not just checking boxes on a societal checklist. Our parents dreamed big for us, but it's time for us to dream even bigger—for a life that values our humanity as much as our accomplishments.

#### Laura Onyeneho covers Houston's education system as it relates to the Black community for the Defender as a Report for America corps member. I'm a multimedia journalist and have reported on social, cultural, lifestyle, and community news for 7 years and counting.

## Context

The number of businesses owned by Black women grew 50% from 2014 to 2019, representing the highest growth rate of any female demographic. Black females accounted for 42% of all women who opened a new business during that time 2 and represented 36% of all Black employers. Source: Elana Dure, Vice President, Head of Content Studio J. P Morgan (2021)

### Women and New Mothers

# A testiment to the difference city-sponsored services can make

#### From A13

For healthcare providers, the program offers a critical opportunity to reach patients who might otherwise fall through the cracks. Dr. Bryant's remarks about the importance of patient presence underscore the frustration many providers face when barriers like transportation prevent them from delivering care. The "Rides to Care" initiative addresses this gap, ensuring that expectant and new mothers can access the resources they need without worrying about how they'll get there.

For Detroit families, the program's impact is already being felt. Lewis's story is a testament to the difference this initiative can make in the lives of young mothers navigating the challenges of parenthood. By providing reliable transportation to medical appointments, the program removes a significant source of stress for mothers like Lewis, allowing them to focus on their health and their children's well-being.

The stakes for programs like "Rides to Care" are high. With Black infants dying at three times the rate of white infants and Detroit's overall infant mortality rate more than double the national average, addressing these disparities requires bold and targeted action. While there is no single solution to these complex challenges, initiatives like this one represent an important step toward health equity in Detroit.

As the program continues to expand, its success will depend on sustained investment and community support. The Detroit Health Department's partnership with Uber Health demonstrates how public and private sectors can collaborate to address systemic issues. By prioritizing the needs of vulnerable populations, the program sends a clear message: access to healthcare is not a privilege—it's a right.



HOTO ADOBE IMAGES

For many Detroiters, the "Rides to Care" program is a lifeline that connects them to critical healthcare and a broader network of support. As Lewis said, "It's a good village, and it's helping everybody right now." Her words reflect the spirit of the initiative, which aims to build a healthier and more equitable future for Detroit families. By removing transportation barriers, the city is not only limited to addressing a logistical challenge—it's investing in the lives of its mothers and children. For a city with so much at stake, programs like "Rides to Care" are a reminder that progress starts with meeting people where they are.